

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 2247, Page 29, Section 160.518, Line 83, by inserting after all of said line the  
2 following:

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4 "162.728. 1. If a student returns to the public school he or she previously attended immediately  
5 after attending a charter school for at least one school year; the student's previous attendance at the public  
6 school occurred immediately before his or her transfer to the charter school; and the student received special  
7 educational services before, during, and after his or her attendance at the charter school, the charter school  
8 that the student attended shall pay the public school of current attendance expenses for compensatory  
9 educational services as described in subsection 2 of this section if:

10 (1) Testing of the student by the public school of current attendance within six months of the  
11 student's return demonstrates a regression in his or her skills; or

12 (2) Testing of the student by the public school of current attendance within six months of his or her  
13 return demonstrates that the student is performing below his or her peers to a greater degree than existed  
14 immediately before his or her transfer to the charter school.

15 2. The public school of current attendance shall receive from the charter school the amount  
16 necessary to cover all expenses associated with the compensatory educational services required for the  
17 student to correct for any regression or performance gap described in subsection 1 of this section. Payments  
18 shall be made before July first of each year and shall continue as long as such compensatory educational  
19 services are necessary.

20 3. Any dispute between the public school of current attendance and the charter school as to the  
21 amount owed to the public school of current attendance shall be resolved by the department of elementary  
22 and secondary education. The decision of the department of elementary and secondary education shall be the  
23 final administrative action for purposes of review under chapter 536.

24 4. The department of elementary and secondary education shall promulgate rules to implement the  
25 provisions of this section including, but not limited to, the requirements related to the expenses to be paid by  
26 the charter school. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
27 under the authority delegated in this section shall become effective only if it complies with and is subject to  
28 all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
29 nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to  
30 delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the  
31 grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and  
32 void."; and

33  
34 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_